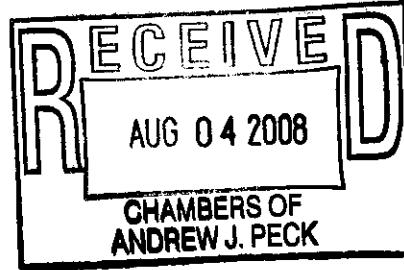


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DATE FILED: 8/5/08



TOTAL P.02



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

Via Fax (212) 805-7933
Hon. Andrew J. Peck
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

BY FAX AUG 4 2008 MEMO ENDORSED 8/4/08

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Clerk's Office Bureau

Approved

SO ORDERED

Andy J. Peck
Hon. Andrew J. Peck
United States Magistrate Judge

by Fax 8/4/08

Dear Judge Peck:

This letter is written on behalf of defendants with consent of plaintiffs' counsel respectfully to request an extension of time until August 15, 2008 to submit the written report of defendants' psychiatric expert, whose name and curriculum vitae will be provided in defendants' Rule 26 (a)(2)(B) disclosure by August 8th. The expert was retained on July 24th and was provided with documents for review since that date. Given the record review required and his other commitments, the expert reports he will need until August 13th to prepare his report. No previous requests for such an extension have been made. The instant request will not affect any other deadlines.

Defendants expect to include in their Rule 26 expert disclosure by August 8th the curriculum vitae and report of their other expert in the area of suicide prevention.

In closing, defendants do not object to plaintiffs being given until August 15, 2008 to identify their expert(s) and provide his/her report if permitted to do so by the Court.

Respectfully submitted,

[Signature]
Donald Nowick
Assistant Attorney General
(212) 416-8227

c: Via Fax (718)855 1033
Attorney Gary Rawlins

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
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Dated: August 5, 2008

Total Number of Pages: 2

TO	FAX NUMBER
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Gary Rawlins, Esq.	718-855-1033

TRANSCRIPTION:

MEMO ENDORSED 8/5/08

Approved.